



BASF PERFORMANCE PRODUCTS LLC  
PATENT DEPARTMENT  
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TARRYTOWN NY 10591

MAILED

APR 09 2010

OFFICE OF PETITIONS

In re Application of  
Rolf Moors et al.  
Application No. 10/563,201  
Filed: January 3, 2006  
Attorney Docket No. 4-22911

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ON PETITION  
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This is a decision on the petition under 37 CFR 1.137(b)<sup>1</sup>, filed February 11, 2010, to revive the above-identified application.

The petition is **GRANTED**.

This application was held abandoned on August 20, 2009 and a Notice of Abandonment was mailed on January 29, 2010, for failure to timely respond to the Final Office Action mailed May 19, 2009.

In response thereof, petitioner has submitted a Request for Continued Examination (RCE) and an amendment as the submission required under 37 CFR 1.114.

This matter is being referred to Technology Center 1796 for processing of the RCE.

Telephone inquiries related to this decision should be directed to the undersigned Petitions Attorney at (571) 272-3212.

Patricia Faison Ball  
Senior Petitions Attorney  
Office of Petitions

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<sup>1</sup>Effective December 1, 1997, the provisions of 37 CFR 1.137(b) now provide that where the delay in reply was unintentional, a petition may be filed to revive an abandoned application or a lapsed patent pursuant to 37 CFR 1.137(b). A grantable petition filed under the provisions of 37 CFR 1.137(b) must be accompanied by:

(1) the required reply, unless previously filed. In a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application. In an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof, the required reply must be the payment of the issue fee or any outstanding balance thereof.

(2) the petition fee as set forth in 37 CFR 1.17(m);

(3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional; and

(4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required pursuant to 37 CFR 1.137(c).